

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

In re:

**JEFFERSON COUNTY, ALABAMA,
a political subdivision of the State of
Alabama,**

Debtor.

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Case No. 11-05736-TBB9

Chapter 9

AGREED ORDER REGARDING MOTION FOR RELIEF

THIS MATTER came before the Court on the Motion for Relief from Automatic Stay [Docket No. 978] (the “Motion”) filed by Collette Funderburg (the “Movant”). Based on the pleadings of record, the arguments and representations of counsel, all other matters brought before the Court, and for good cause shown, the Court finds, determines and concludes that notice of the relief requested in the Motion was good and sufficient under the particular circumstances; the legal and factual grounds set forth in the Motion establish cause for the relief granted herein; and the Motion is due to be **GRANTED IN PART AND DENIED IN PART.**

WHEREFORE, based upon the foregoing findings of fact and conclusions of law, it is hereby

ORDERED, ADJUDGED and DECREED that the automatic stays imposed by 11 U.S.C. §§ 362 and 922 are modified to the extent necessary to allow Movant to recover excess tax sale proceeds from the County in accordance with applicable law; and it is further

ORDERED, ADJUDGED and DECREED that the Motion is denied to the extent the Movant seeks relief from the automatic stays imposed by 11 U.S.C. §§ 362 and 922 to enforce any judgment against Jefferson County, Alabama, J.T. Smallwood, as Tax Collector for Jefferson County, the Jefferson County Commission and its Commissioners; and it is further

ORDERED, ADJUDGED and DECREED that, except to the limited extent set forth herein, the automatic stays of 11 U.S.C. §§ 362 and 922 shall remain in full force and effect; and it is further

ORDERED, ADJUDGED and DECREED that this Order is without prejudice to the rights of the County pursuant to Section 904 of the Bankruptcy Code, and nothing herein is intended as or shall be deemed to constitute the County's consent pursuant to this Court's interference with (1) any of the political or governmental powers of the County, (2) any of the property or revenues of the County, or (3) the County's use or enjoyment of any income-producing property.

Dated: June 5, 2012

/s/ Thomas B. Bennett
Thomas B. Bennett
U.S. Bankruptcy Judge

SUBMITTED BY:

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